

HOUSE BILL REPORT

HB 1559

As Reported by House Committee On: Labor & Workplace Standards

Title: An act relating to granting binding interest arbitration rights to certain uniformed personnel.

Brief Description: Granting binding interest arbitration rights to certain uniformed personnel.

Sponsors: Representatives Goodman, Hayes, Bergquist, Dolan, Doglio, Griffey, Ryu, Lovick, Fitzgibbon, Sells and Ormsby.

Brief History:

Committee Activity:

Labor & Workplace Standards: 2/9/17, 2/14/17 [DP].

Brief Summary of Bill

- Provides binding interest arbitration for duly sworn police officers employed as members of a police force established by state universities, regional universities, and The Evergreen State College.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: Do pass. Signed by 6 members: Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member; Doglio and Frame.

Minority Report: Do not pass. Signed by 1 member: Representative Pike.

Staff: Trudes Tango (786-7384).

Background:

The Public Employees' Collective Bargaining Act (PECBA) provides for collective bargaining of wages, hours, and working conditions with employees of cities, counties, and other political subdivisions. The PECBA also applies to the state with respect to the officers of the Washington State Patrol (WSP).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The PECBA recognizes the public policy against strikes by uniformed personnel as a means of settling labor disputes. The PECBA provides for binding interest arbitration to resolve impasses over contract negotiations between uniformed personnel and their employers. Uniformed personnel include certain law enforcement officers and firefighters. The WSP officers are also provided binding interest arbitration under PECBA.

The Personnel System Reform Act (PSRA) provides for collective bargaining of wages, hours, and other terms and conditions of employment with classified employees of state agencies and institutions of higher education. The PSRA does not provide for binding interest arbitration.

The boards of the University of Washington, Washington State University, the regional universities, and The Evergreen State College are authorized to establish police forces for their institutions.

Summary of Bill:

The PSRA is amended to provide binding interest arbitration for uniformed personnel. Uniformed personnel are duly sworn police officers employed as members of a police force established by state universities, regional universities, or The Evergreen State College.

Provisions establishing interest arbitration are added to the PSRA, similar to existing provisions in the PECBA. These provisions specify that the right of uniformed personnel to strike is not granted, and also address the following:

- mediation when an agreement is not reached following negotiations;
- arbitration when an agreement is not reached following mediation;
- powers and duties of an arbitration panel;
- procedures for an arbitration hearing; and
- factors to be considered by the arbitration panel.

In addition, provisions are added to the PSRA that are comparable to provisions applicable to the WSP in the PECBA. These provisions:

- establish procedures for appointing an arbitration panel;
- require the Governor to submit either a request for funds to implement the compensation and fringe benefit provisions in an agreement, or a request for legislation necessary to implement an agreement, if the request is submitted to the Director of the Office of Financial Management by October 1 or reflects an arbitration panel's decision; and
- specify that, if an impasse in negotiations results in an arbitration award, that decision is not binding on the Legislature, and if the Legislature does not approve the funds necessary to implement the compensation and fringe benefit provisions of an arbitrated agreement, the arbitration decision is not binding on the state.

The Public Employment Relations Commission is required to review whether existing bargaining units that include uniformed personnel are appropriate and is authorized to modify

a unit that is not appropriate. Exclusive bargaining representatives of uniformed personnel are "grandfathered" and continue to represent those units without the necessity of an election as of the bill's effective date; however, there may be proceedings concerning representation after the bill's effective date.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Because law enforcement officers are not able to go on strike, there must be other ways to settle contract disputes. Universities' Campus police are the only law enforcement officers who do not have binding interest arbitration. Some campuses have a difficult time recruiting and retaining officers because of such low salaries. There is a real tension in the bargaining process around wages and safety equipment. These officers go through the same training and have the same job as other law enforcement officers. They are essential for safety on the campuses.

(Opposed) None.

(Other) These campus law enforcement officers should have the right to strike. This bill reduces their rights.

Persons Testifying: (In support) Representative Goodman, prime sponsor; and Matt Zuvich and Timothy Odel, Washington Federation of State Employees.

(Other) Arthur West.

Persons Signed In To Testify But Not Testifying: None.